

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

K. JIN LIM as TRUSTEE OF MP LIQUIDATING
CO. LLC,

Plaintiff,

Case Number 11-14422
Honorable David M. Lawson

v.

MILLER PARKING CO., JAMES N. MILLER
REVOCABLE TRUST UTA, NATHAN L.
MILLER TRUST, ALISON J. MILLER TRUST,
DAVID M. MILLER TRUST, and JAMES N.
MILLER,

Defendants.

**ORDER DISMISSING COUNTS IV, V, VI, AND IX OF THE AMENDED
COMPLAINT, DENYING MIDTRIAL MOTION TO DISMISS,
AND SCHEDULING CONFERENCE**

The Court bifurcated the trial of the claims presented by the amended complaint in this case. In its Joint Final Pretrial Order [dkt. #65], the Court directed the parties to submit to the Court for trial without a jury the claims in Count VI (*Alter Ego*), Count V (Substantive Consolidation), Count IV (Disgorgement/Illegal Distributions), and Count IX (Accounting). The case came on for trial before the Court without a jury on February 17, 2015. Earlier today, the Court filed its opinion, which contained its findings of fact and conclusions of law under Federal Rule of Civil Procedure 52(a)(1). In accordance with that Opinion After Trial entered today,

It is **ORDERED** that Counts IV, V, VI, and IX of the amended complaint are **DISMISSED WITH PREJUDICE**.

It is further **ORDERED** that the defendants' midtrial motion for judgment as a matter of law under Federal Rule of Civil Procedure 52(c) is **DENIED as moot**.

It is further **ORDERED** that counsel for the parties shall appear for a conference to discuss the adjudication and resolution of the remaining counts of the amended complaint **on April 19, 2016 at 10:00 a.m.**

s/David M. Lawson
DAVID M. LAWSON
United States District Judge

Dated: April 11, 2016

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on April 11, 2016.

s/Susan Pinkowski
SUSAN PINKOWSKI